

1 ERNEST S. KINNEY #207234
2 Attorney at Law
2014 TULARE ST., STE. 300
3 Fresno, CA 93721
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4 Email: Eskinneylaw@gmail.com

5 Attorney for Defendant VICTOR A. DIAZ

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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 VICTOR A. DIAZ
15 Defendant.

16 No. 1:23-CR-00115

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**MOTION TO TERMINATE CJA
APPOINTMENT OF ERNEST S. KINNEY AS
ATTORNEY OF RECORD AND ORDER**

On 10-4-23, Magistrate Boone appointed CJA Panel Attorney Ernest S. Kinney as trial counsel to represent Mr. Victor A. Diaz in his criminal case. Mr. Victor A. Diaz was sentenced [pursuant to a plea agreement] on 7-17-24. The time for filing a direct appeal was 7-31-24. No direct appeal was filed. Mr. Victor A. Diaz was in custody at sentencing but released credit for time served. The trial phase of Mr. Victor A. Diaz criminal case has, therefore, come to an end. Having completed his representation of Mr. Victor A. Diaz. CJA attorney Ernest S. Kinney now moves to terminate his appointment under the Criminal Justice Act.

Should Mr. Victor A. Diaz require further legal assistance he has been advised to contact the Office of the Federal Defender for the Eastern District of California by mail at 2300 Tulare

1 Street, Suite 330, Fresno, CA 93721, or by phone at (559) 487-5561 (collect) or (855) 656-4360
2 (toll-free), which, if appropriate, will arrange for the re-appointment of counsel to assist him.

3 Dated: October 23, 2024

Respectfully submitted,

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/s/Ernest S. Kinney

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Attorney for
Defendant, Victor A. Diaz

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ORDER

9 Having reviewed the notice and found that attorney Ernest S. Kinney has completed the
10 services for which he was appointed, the Court hereby grants attorney Ernest S. Kinney's request
11 for leave to withdraw as defense counsel in this matter. Should Defendant seek further legal
12 assistance, Defendant is advised to contact the Office of the Federal Defender for the Eastern
13 District of California at 2300 Tulare Street, Suite 330, Fresno, CA 93721. The phone number for
14 the office is (559) 487-5561 (collect) or (855) 656-4360 (toll-free). If appropriate, the office will
15 arrange for the reappointment of counsel to assist Defendant.

16 The Clerk of Court is directed to serve a copy of this order on Defendant Victor A. Diaz at
17 the following address and to update the docket to reflect Defendant's pro se status and contact
18 information.

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Ernest S. Kinney
2014 Tulare St., Ste 300
Fresno, CA 93721

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IT IS SO ORDERED

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Date: October 28, 2024

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TROY L. NUNLEY
CHIEF UNITED STATES DISTRICT JUDGE